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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. '132, effective on May 29, 2000, provides for the continued examination of a utility or plant application filed on or after June 8, 1995.



Application Number **09/988,272**

Filing Date **November 19, 2001**

First Named Inventor **Hirotoshi KUBO**

Group Art Unit **2813**

Name of Examiner **David L. Hogans**

Attorney Docket No. **981206A**

This is a Request for Continued Examination (RCE) under 37 C.F.R. '1.114 of the above-identified application. Note: 37 C.F.R. '1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. '1.53 (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar 20, 2000) 1233 Off. Gazette Pat Office (April 11, 2000) which established RCE practice.

**1.**

### Submission Required Under 37 C.F.R. §1.114

a.  Previously submitted:

i.  Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on: \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on: \_\_\_\_\_

iii.  Other \_\_\_\_\_

b.  Enclosed

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i.	<input checked="" type="checkbox"/>	Amendment/Reply
ii.	<input type="checkbox"/>	Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/>	Information Disclosure Statement (IDS)
iv.	<input type="checkbox"/>	Other: _____

**2.**

### Miscellaneous

a.  Suspension of Action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months (period shall not exceed three months; Fee under 37 C.F.R. §1.17(i) required)

b.  Other \_\_\_\_\_

3. The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

### Fees

a.  Check in the amount of \$ \_\_\_\_\_ .00 is enclosed.

i.	<input checked="" type="checkbox"/>	RCE fee required under 37 C.F.R. § 1.17 (e) - (\$ 790.00)
ii.	<input type="checkbox"/>	Extension of Time Fee (37 C.F.R. § 1.136 and 1.17) - (\$ _____ )
iii.	<input checked="" type="checkbox"/>	Other Amendment _____

b.  The Director is hereby authorized to charge the fees, or credit any overpayments, to Deposit Account No. 50-2866. A duplicate copy of this form is enclosed.

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

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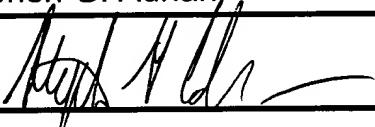
**PAGE 2**

Attorney Docket No. **981206A**

**SIGNATURE BY APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name **Stephen G. Adrian**

Registration No.: **32,878**

Signature 

Date: **October 26, 2004**

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name

Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Hirotoshi KUBO et al.**

Group Art Unit: **2813**

Serial No.: **09/988,272**

Examiner: **David L. Hogans**

Filed: **November 19, 2001**

Confirmation No.: **8401**

For: **SEMICONDUCTOR DEVICE AND A METHOD OF FABRICATING  
THE SAME**

Attorney Docket Number: **981206A**  
Customer Number: **38834**

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

October 26, 2004

Sir:

Prior to continued examination, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 10 of this paper.